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4.30.18

**VIA ECF**

Honorable Magistrate Judge Ramon E. Reyes, Jr  
United States District Court, EDNY

**RE: Bonikos et al v. 50 Front Street Enterprises, Inc., 1:17-cv-06076-ARR-RER**

Dear Honorable Judge,

I represent Plaintiffs Yannis Bonikos and Rigel Shaholli (the "Plaintiffs") in the above-referenced action. I write to request an extension of the deadline to complete mediation. Defense counsel declines to consent to this request.

The date to complete mediation was scheduled for April 27, 2018. The parties first had a mediation scheduled for April 20, 2018, which was adjourned until the 27<sup>th</sup> due to issues with Plaintiff's present employer. Nevertheless, the parties were ready to appear, and have confirmed their appearance, for the mediation to occur on April 27<sup>th</sup>.

On the mid-afternoon of the 26<sup>th</sup>, I received a phone call from one of the Plaintiffs which went to voicemail as I was in another mediation. Shortly thereafter, I got a text message from him stating the following:

*Hello Salim I have an family emergency I'm leaving for Chicago now I'm so sorry I won't be able to make it at the mediation tomorrow I will be back on the (may 2) noon I can be on the phone if it could work..I'm sorry I couldn't stay is very important.*

(emphasis added) A copy of the text message is attached hereto as Exhibit A. I opened the message at 6:00pm, directly after completing my mediation, and notified the mediator, Ms. Deborah Shapiro, and opposing counsel within the hour.

I also asked the Plaintiff to provide me with a copy of the airline ticket which is also attached hereto as Exhibit A. The ticket states that Mr. Shaholli is in fact flying to Chicago at 8:30am morning on April 27<sup>th</sup> and was not be available by phone until 10:30am. Upon disclosing a copy of the ticket to Ms. Shapiro and Mr. Chong, Ms. Shapiro decided to adjourn the mediation because Mr. Shaholli would not be available to appear by phone in any event. She also requested that I submit this correspondence to the Court requesting an extension of time to complete the mediation. As a result, I am making such request.

I have further been advised by Defendants' counsel that his client will be traveling until May 30 and will be leaving again on June 7. As a result, he will only be available to conduct his

deposition and complete mediation between those dates. The parties are attempting to schedule the mediation for May 30<sup>th</sup>.

Accordingly, the parties respectfully request a 45 day extension of the mediation deadline to conclude mediation.

Thank you for your time and consideration.

Truly Yours,

/s/ Salim Katach

Salim Katach (SK0924)